



ENTERED
04/24/2019

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

DAVID CORONA,

Debtor.

§
§
§
§
§
§

Case No. 17-33936

Chapter 13

**ORDER REQUIRING TROY MOUTON TO APPEAR AND SHOW CAUSE WHY
HE SHOULD NOT BE SANCTIONED FOR VIOLATING THIS COURT'S
ORDER OF OCTOBER 12, 2018**
[Doc. No. 93]

On October 12, 2018, this Court entered an order entitled: “Amended Agreed Order Resolving Show Cause Orders Issued Regarding Troy Mouton (a/k/a Troy Washington), David Corona and Yadira Gonzales” (the “**Agreed Order**”). [Doc. No. 93].¹ The Agreed Order expressly sets forth, among other things, that Troy Mouton (“**Mouton**”) “shall be restrained from engaging in the following acts or practices:

- a. Giving, providing, or offering advice and counsel to any person regarding their eligibility to file bankruptcy or the consequences to them of filing a bankruptcy case under Title 11 of the United States Code;
- b. Encouraging, counseling, advising or assisting any person with any action in a case under Title 11 of the United States Code with the purpose of delaying or hindering a mortgage creditor from exercising its rights under state law;
- c. From operating as a bankruptcy petition preparer within the meaning of 11 U.S.C. § 110 and from aiding, assisting, advising or preparing for compensation or otherwise

¹ The original agreed order was entered on March 8, 2018. [Doc. No. 79]. However, an amendment became necessary to ensure that an address referenced in the order was correctly spelled.

documents for filing in the United States Bankruptcy Courts as a Bankruptcy Petition Preparer within the meaning of 11 U.S.C. § 110 whether for compensation or otherwise;

- d. Mouton also agrees and acknowledges that he will not serve as a Bankruptcy Petition Preparer as that term is defined in 11 U.S.C. 110(a)(1);
- e. From engaging in the unauthorized practice of law, as defined in §§81.101 and 81.102 Tex. Govt. Code Ann.; rendering legal advice and preparing or assisting in the preparation of petitions, schedules, statements of financial affairs, other statements or applications, any and all papers to be filed in any bankruptcy proceeding or otherwise acting as a bankruptcy petition preparer in any bankruptcy proceeding;
- f. From violating the provisions of 11 U.S.C. §§526, 527 and 528, regulating Debt Relief Agencies as that term is defined in 11 U.S.C. 101(12A);
- g. Mr. Mouton agrees and acknowledges that he will not serve as a Debt Relief Agency as that term is defined in 11 U.S.C. 101(12A);
- h. Mr. Mouton agrees and acknowledges that he will not violate the requirements of the Mortgage Relief Services Act, ("MARS"), 12 CFR Part 1015."

On March 4, 2019, a Chapter 13 petition was filed on behalf of an individual named Devanah Johns-McGinnis. Once the petition was filed, the Clerk of Court assigned case number 19-31230 to this case, and it was then assigned to Bankruptcy Judge Jeffrey P. Norman. Judge Norman dismissed the case on March 20, 2019. [Case No. 19-31230, Doc. No. 13]. On April 3, 2019, Ms. Johns-McGinnis wrote a letter to the Court. [Case No. 19-31230, Doc. No. 15]. A true and correct copy of this letter is attached hereto as **Exhibit A**. In this letter, Ms. Johns-McGinnis states, among other things, the following: "Someone else filed this for me stating their agency does

this. His name is Troy Mouton. I gave him the money to file and he said he would handle it.” This language causes concern to this Court, as it appears that Mouton has undertaken acts that violate the Agreed Order. Accordingly, this Court requires Mouton to personally appear in Court and show cause why he should not be sanctioned for violating the terms of the Agreed Order. It is therefore:

ORDERED that the show cause hearing shall be held on May 21, 2019, at 2:00 PM in courtroom 600, 6th Floor, Bob Casey Federal Courthouse, 515 Rusk Street, Houston, Texas 77002; and it is further

ORDERED that Mouton shall personally appear at this hearing and show cause why he should not be sanctioned for violating the terms of the Agreed Order; and it is further

ORDERED that if Mouton fails to personally appear at this hearing, then he will be in contempt of this Order and the Court will issue a bench warrant for the U.S. Marshals Service to take Mouton into custody and produce him in court; and it is further

ORDERED that Devanah Johns-McGinnis shall also personally appear at this hearing to give testimony about any assistance that Mouton gave to her relating to Case No. 19-31230; and it is further

ORDERED that if Devanah Johns-McGinnis fails to personally appear at this hearing, then she will be in contempt of this Order and the Court will issue a bench warrant for the U.S. Marshals Service to take her into custody and produce her in court; and it is further

ORDERED that because the U.S. Trustee’s Office is a signatory to the Agreed Order, the Court requires the U.S. Trustee’s counsel to appear at this show cause hearing; and it is further

ORDERED that because Samuel L. Milledge is the attorney who signed the Agreed Order as counsel of record for Mouton, the Court requires that Mr. Milledge appear at this show cause hearing; and it is further

ORDERED that Samuel L. Milledge, within 24 hours after receipt of this Order, shall contact Mouton and review this Order with him and inform him that he must personally appear at the show cause hearing to be held on May 21, 2019, at 2:00 PM; and it is further

ORDERED that the Clerk of Court shall send a copy of this Order to Mouton at the following addresses: (1) 5012 Heather Meadow Lane, Sugar Land, Texas 77479; (2) 3207 S. Pemberton Circle Drive, Houston, Texas 77025; (3) 3751 Childress, Houston, Texas 77005; (4) 5680 Highway 6, Houston, Texas 77459; (5) troy@txcapitalhomebuyers.com; and (6) TCHB@ME.COM; and it is further

ORDERED that the Clerk of Court shall send a copy of this Order to Samuel L. Milledge by telefax (713-812-1418) and by email at milledge@milledgelawfirm.com; and it is further

ORDERED that the Clerk of Court shall send a copy of this Order to Devanah Johns-McGinnis at the following addresses: (1) 4502 Pristine Drive, Fresno, Texas 77545; and (2) dvi@yahoo.com.

Signed on this 24th day of April, 2019.



Jeff Bohm
United States Bankruptcy Judge

4-3-2019

Devana M. G. Jones

Dear Officers of the court,

Case #

1931230

I am a single mom with no prior experience with this. Someone else filed this for me stating their agency does this. His name is Troy Mouton.

I gave him the money to file & he said he would handle it. I have proof anyway I did not do credit

United States Courts
Southern District of Texas
FILED

APR 03 2019

David J. Bradley, Clerk of Court

counseling with an agency because it is for my mortgage exclusively. I spoke to them they told me

my payment is 858.00 although they sent me a statement stating otherwise. Then they said the note went to another servicer, then

they called me just ~~yes~~ a couple of days ago saying it would stay with them. I have a copy of the mortgage note and letter from

new, ex servicer. Please re-estate. I have the \$317.00 today for fee.

EXHIBIT No. A

I have a daughter who has depression
+ lives with me. She can not live apart
from me. My income for 2018 was \$26,000.
according to tax return but with
deduction it was \$20,000.

United States Bankruptcy Court
Southern District of Texas

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 13 of the United States Bankruptcy Code, entered on 03/04/2019 at 4:16 PM and filed on 03/04/2019.

Devanah Johns-McGinnis

4502 Pristine Dr

Fresno, Tx 77545

281-860-1950 281-220-9525

SSN / ITIN: xxx-xx-2801



The bankruptcy trustee is:

William E. Heitkamp

Office of Chapter 13 Trustee

9821 Katy Freeway

Ste 590

Houston, TX 77024

713-722-1200

Amended Petition

The case was assigned case number 19-31230 to Judge Jeffrey P Norman.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page <http://www.txs.uscourts.gov/> or at the Clerk's Office, United States Bankruptcy Court, PO Box 61010, Houston, TX 77208.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

David J. Bradley
Clerk, U.S. Bankruptcy
Court